

AMENDED IN ASSEMBLY APRIL 21, 2005

AMENDED IN ASSEMBLY APRIL 7, 2005

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 494

Introduced by Assembly Member Montanez

February 16, 2005

An act to ~~add Section 17071.47 to~~ *amend Section 17071.46* of the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 494, as amended, Montanez. School facilities: replacement buildings.

Existing law, the Leroy F. Greene School Facilities Act of 1998, requires the State Allocation Board to provide a supplemental grant for 50% of the replacement cost of a single-story building if a school district proposes to demolish the building, *as specified*, and replace it with a multistory building on the same site, if certain conditions are met.

This bill would require the board to provide a supplemental grant for 50% of the replacement cost of a building if a school district proposes to demolish the building and replace it with another building ~~on another site, if certain conditions are met~~ *for the purpose of increasing pupil capacity, if the demolition and replacement of the building is the most economically feasible alternative.*

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 17071.47 is added to the Education~~
2 ~~Code, to read:~~

3 ~~SECTION 1. Section 17071.46 of the Education Code is~~
4 ~~amended to read:~~

5 ~~17071.46. (a) If an applicant school district proposes to~~
6 ~~demolish a single-story building and replace it with a multistory~~
7 ~~building on the same site and replace a building for the purpose~~
8 ~~of increasing pupil capacity, the State Allocation Board shall~~
9 ~~provide a supplemental grant for 50 percent of the replacement~~
10 ~~cost of the single-story building to be demolished, if all of the~~
11 ~~following conditions are met:~~

12 ~~(1) The cost of the demolition and construction of a new~~
13 ~~multistory building on the same site is less than the total cost of~~
14 ~~providing a new school facility, including land, on a new site for~~
15 ~~the additional number of pupils housed as a result of the~~
16 ~~multistory replacement building on the existing site, as~~
17 ~~determined by the State Allocation Board. For purposes of this~~
18 ~~subdivision, the method of estimating the site acquisition costs~~
19 ~~savings shall be based on previous actual site sizes and~~
20 ~~acquisition costs in the district for equivalent numbers of pupils,~~
21 ~~or as otherwise determined by the board if actual site acquisition~~
22 ~~comparisons are not available for the district.~~

23 ~~(2) The school district will maximize the increase in pupil~~
24 ~~capacity on the site when it builds the multistory replacement~~
25 ~~building, subject to the limits imposed on it pursuant to~~
26 ~~paragraph (3).~~

27 ~~(3) The State Department of Education has determined that the~~
28 ~~demolition of an existing single-story building and replacement~~
29 ~~with a multistory building at the site is the best available~~
30 ~~alternative and will not create a school with an inappropriate~~
31 ~~number of pupils in relation to the size of the site, as determined~~
32 ~~by the State Department of Education the demolition and~~
33 ~~replacement of the building is the most economically feasible~~
34 ~~alternative.~~

35 ~~(b) For purposes of this section, "replacement cost" includes~~
36 ~~costs incurred due to site acquisition, if applicable.~~

37 ~~(c) The State Allocation Board shall establish additional~~
38 ~~requirements it deems necessary to ensure that the economic~~

1 interests of the state and the educational interests of the children
2 of the state are protected.

3 ~~17071.47. (a) If an applicant school district proposes to~~
4 ~~demolish a building and replace it on another site, the State~~
5 ~~Allocation Board shall provide a supplemental grant for 50~~
6 ~~percent of the replacement cost of the building to be demolished,~~
7 ~~if all of the following conditions are met:~~

8 ~~(1) The site upon which the replacement building is to be~~
9 ~~located is within a reasonable distance.~~

10 ~~(2) The site upon which the building to be replaced is located~~
11 ~~will be used to facilitate a grade level or levels that is different~~
12 ~~than the grade level that is facilitated in the building to be~~
13 ~~replaced.~~

14 ~~(3) The school district will increase pupil capacity when it~~
15 ~~builds the replacement building, subject to the limits imposed on~~
16 ~~it pursuant to paragraph (4).~~

17 ~~(4) The department has determined that the demolition of a~~
18 ~~building and replacement of it on another site is a reasonable~~
19 ~~alternative and will not create a school with an inappropriate~~
20 ~~number of pupils in relation to the size of the site.~~

21 ~~(b) As used in this section, "replacement cost" includes land~~
22 ~~acquisition costs incidental to the overall provision of the~~
23 ~~replacement building.~~

24 ~~(c) The State Allocation Board shall establish additional~~
25 ~~requirements that it deems necessary to ensure that the economic~~
26 ~~interests of the state and the education interests of the children of~~
27 ~~the state are protected.~~